

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 11 and 18-22 are pending in the present application, Claims 11 and 18-22 having been amended, Claims 12-17 having been canceled without prejudice or disclaimer, and Claims 21 and 22 having been withdrawn. Support for the amendments to Claims 11 and 18-22 is found, for example, in Fig. 3A (the previously elected species).¹ Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 11, 16, and 18-20 were rejected under 35 U.S.C. §103(a) as unpatentable over either Arkhipov et al. (U.S. Patent No. 5,359,258, hereinafter Arkhipov) or Valentian et al. (U.S. Patent No. 6,281,622, hereinafter Valentian) in view of either Egorov et al. (U.S. Patent No. 5,218,271, hereinafter Egorov) or Yashnov et al. (U.S. Patent No. 5,5847,493, Yashnov).

Applicants thank the Examiner for the courtesy of an interview extended to Applicants' representative on January 14, 2009. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Arguments presented during the interview are reiterated below.

Applicants respectfully submit that the amendment to Claim 11 overcomes the outstanding ground of rejection. Amended Claim 11 recites, *inter alia*,

wherein at least one of the peripheral arms of the magnetic circuit comprises a downstream portion made of a soft magnetic material, an upstream portion made of a soft magnetic material, and a permanent magnet centrally disposed between the downstream portion and the upstream portion.

¹ See also, page 9, lines 21-31 of the originally filed specification.

Arkhipov, Valentian, Egorov, and Yashnov, taken alone or in proper combination, do not disclose or suggest at least these elements of amended Claim 1.

Page 3 of the outstanding Office Action appears to agree with Applicants that Akhipov and Valentian do not disclose peripheral arms that include permanent magnets. On the contrary, Akhipov and Valentian describe peripheral arms with magnetic coils. Applicants respectfully submit that Akhipov and Valentian do not disclose or suggest peripheral arms with “a downstream portion made of a soft magnetic material, an upstream portion made of a soft magnetic material, and a permanent magnet centrally disposed between the downstream portion and the upstream portion.”

The outstanding Office Action relies upon Egorov and Yashnov to describe permanent magnets.² Egorov states “if the latter has electromagnets (permanent magnets can alternatively be used).”³ Yashnov states “either or both of the coils 16 and 17 could of course be replaced by permanent magnets.”⁴ However, neither Egorov nor Yashnov describe the specific three-part arrangement (i.e., soft magnetic material, permanent magnet, and soft magnetic material) of a peripheral arm as recited in amended Claim 11. A general description of replacing an electromagnet with a permanent magnet does not disclose or suggest the specific three-part arrangement of a peripheral arm that includes “a downstream portion made of a soft magnetic material, an upstream portion made of a soft magnetic material, and a permanent magnet centrally disposed between the downstream portion and the upstream portion.”

In view of the above-noted distinctions, Applicants respectfully submit that amended Claim 11 (and any claims dependent thereon) patentably distinguish over Arkhipov, Valentian, Egorov, and Yashnov, taken alone or in proper combination.

² Office Action, pages 3-4.

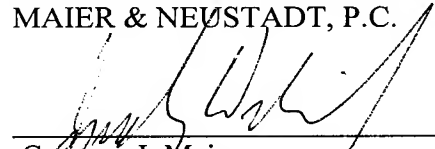
³ Egorov, col. 6, lines 31-32.

⁴ Yashnov, col. 6, lines 32-33.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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